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PATENT APPLICATION  
ATTORNEY DOCKET NO. 22780.NP

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

ART UNIT: 2115

EXAMINER: Mark A. Connolly

APPLICANT: Paul E. Madden et al.

SERIAL NO.: 09/788,191

FILED: February 17, 2001

FOR: Booting an operating system or running other pre-boot code from a file stored under a different operating system

RESPONSE

CERTIFICATE OF MAILING

DATE OF MAILING: 10/1/04

I hereby certify that this paper and fee (along with any paper or fee referred to as being attached or enclosed) is being mailed, postage paid, in a package addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated above.

*Debra Holterman*  
Printed Name: Debra Holterman

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Office Action mailed July 30, 2004, Applicants and Assignee respectfully submit the following remarks and request favorable reconsideration of this application.

**Introduction**

The undersigned respectfully points out that the present Office Action rejects all pending claims after an interview in which the Examiner agreed that certain claims would be allowable if they were amended in a particular way. The claims were amended, as agreed. However, the Examiner has now departed from that agreement, without explanation. The shortcomings of the rejections made in the most recent Office Action are addressed in detail below.